

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

January 13, 2006

JOHN O. MICHELINI and DONALD J. LEWIS

Serial No. : 10/805,611

Group Art Unit: 3747

Filed : March 19, 2004

Examiner: Tony Argenbright

For : CYLINDER AND VALVE MODE CONTROL FOR AN ENGINE
WITH VALVES THAT MAY BE DEACTIVATED**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.56, 1.97, 1.98**

Sir:

In compliance with the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97, and 1.98, the following patents, publications, applications, and/or other information are being submitted and disclosed to the Office, including those listed on the enclosed Form PTO-1449, for consideration by the Examiner.

Applicants respectfully request that the disclosed information be made of record and expressly considered by the Examiner during examination of the pending application. Further, Applicants respectfully request that the disclosed items be listed on the face of any patent issuing from the pending application in the "references cited" column.

In accordance with 37 C.F.R. § 1.97 (g), the present information disclosure statement is not a representation that a search has been made.

In accordance with 37 C.F.R. § 1.97 (h), the present information disclosure statement is not an admission that the information cited in the statement is, or is considered to be, material to patentability.

In accordance with MPEP § 609, Applicants respectfully request that if the present application is a continuing application, all information considered by the Office in the parent application be considered in the present application, although it need not be listed on the face of the patent unless resubmitted in this or another information disclosure statement filed in this application.

Finally, the present information disclosure statement is not an admission that the information cited in the statement is, or is considered to be, prior art.

Page 1 – INFORMATION DISCLOSURE STATEMENT
Serial No. 10/805,611; Record ID 81100237

BASIS FOR CONSIDERATION BY THE OFFICE UNDER 37 C.F.R. § 1.97**☒ 37 C.F.R. § 1.97(d)**

The present information disclosure statement is being filed, to the best of Applicants' knowledge and belief, on or before payment of the issue fee.

☐ Applicants certify that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

☒ Applicants certify that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 1.56(c) more than three months prior to the filing of the information disclosure statement.

AND

☐ A check in the amount of _____ is enclosed.

☒ Please charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account 06-1510.

CONTENT OF INFORMATION DISCLOSURE STATEMENT 37 C.F.R. § 1.98

The present information disclosure statement includes any information noted above, along with a Form PTO/SB/08A (2 pages).

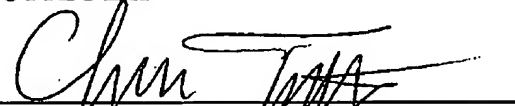
If there are any questions regarding this submission, please contact the undersigned.

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being sent to the U.S. Patent and Trademark Office via facsimile at (571) 273-8300 on January 13, 2006.


Lauren Barberena

Respectfully submitted,
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PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known	
		Application Number	10/805,611
		Filing Date	March 19, 2004
		First Named Inventor	John O. Michelini
		Art Unit	3747
		Examiner Name	Tony Argenbright
Sheet 1 of 2	Attorney Docket Number	81100237	

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 4,732,117	03-22-1988	Tanahashi et al	
		US- 4,807,495	02-28-1989	Wallace	
		US- 4,848,284	07-18-1989	Konno	
		US- 5,016,494	05-21-1991	Yamaguchi	
		US- 5,072,700	12-17-1991	Kawamura	
		US- 5,123,397	06-23-1992	Richeson	
		US- 5,129,369	07-14-1992	Kawamura	
		US- 5,201,296	04-13-1993	Wunning et al	
		US- 5,216,987	06-08-1993	Clarke	
		US- 5,284,116	02-08-1994	Richeson, Jr.	
		US- 5,673,676	10-07-1997	Mukumoto	
		US- 5,803,040	09-08-1998	Biesinger et al	
		US- 5,947,095	09-07-1999	Kato	
		US- 6,217,480	04-17-2001	Iwata et al	
		US- 6,330,870	12-18-2001	Inoue et al	
		US- 6,336,436	01-08-2002	Miyakubo et al	
		US- 6,523,504	02-25-2003	Miura	
		US- 6,595,183	07-22-2003	Olofsson	
		US- 6,620,076	09-16-2003	Kawamura	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 801.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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		Number-Kind Code ² (if known)			
		US- 6,701,887	03-09-2004	Salber et al	
		US- 6,735,938	05-18-2004	Sumilla	
		US- 6,799,421	10-05-2004	Sumilla	
		US- 6,883,319	04-26-2005	Ekenberg	
		US- 6,898,927	05-31-2005	Morinaga et al	
		US- 6,907,725	06-21-2005	Szymkowicz et al	
		US- 6,912,995	07-05-2005	Miura	
		US- 6,935,295	08-30-2005	Marriott	
		US- 6,938,598	09-06-2005	Lewis et al	
		US- 2001/0023667	09-27-2001	Miura	
		US- 2003/0070423	04-17-2003	Morinaga et al	
		US- 2005/0205049	09-22-2005	Lewis	
		US- 2005/0028515	02-10-2005	Fukuma et al	
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